

JOURNAL OF THE ASSEMBLY [January 5, 1968]

STATE OF WISCONSIN

Assembly Journal

Seventy-Eighth Regular Session

FRIDAY, January 5, 1968.

The chief clerk makes the following entries under the above date.

COMMUNICATION

Department of State
Madison 2, Wisconsin

January 4, 1968.

To whom it may concern:

Dear Sir: Acts, Joint Resolutions and Resolutions, deposited in this office, have been numbered and published as follows:

Bill, Jt. Res. or Res.	Chapter No.	Publication Date
Assembly Bill 123	----- 253 -----	December 29, 1967
Assembly Bill 296	----- 254 -----	December 30, 1967
Assembly Bill 887	----- 255 -----	December 30, 1967
Senate Bill 568	----- 256 -----	January 3, 1968
Assembly Bill 1065	----- 257 -----	January 3, 1968
Assembly Bill 88	----- 258 -----	January 4, 1968
Assembly Bill 298	----- 259 -----	January 4, 1968
Assembly Bill 564	----- 260 -----	January 4, 1968
Assembly Bill 855	----- 261 -----	January 4, 1968
Assembly Bill 696	----- 275 -----	December 31, 1967

Very truly yours,

ROBERT C. ZIMMERMAN,
Secretary of State.

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EXECUTIVE COMMUNICATIONS

The State of Wisconsin
Executive Office
Madison 53702

To the Honorable, the Assembly:

The following bill, originating in the Assembly, has been approved, signed and deposited in the office of the Secretary of State.

Assembly Bill	Chapter No.	Date Approved
1103 -----	292 -----	December 29, 1967

Respectfully submitted,

WARREN P. KNOWLES,

December 29, 1967.

Governor.

The State of Wisconsin
Executive Office
Madison 53702

To the Honorable, the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State.

Assembly Bill	Chapter No.	Date Approved
44 -----	300 -----	January 3, 1968
219 -----	301 -----	January 3, 1968
286 -----	302 -----	January 3, 1968
310 -----	303 -----	January 3, 1968
579 -----	304 -----	January 3, 1967
659 -----	305 -----	January 3, 1968
740 -----	306 -----	January 3, 1968
1114 -----	307 -----	January 3, 1968
1116 -----	308 -----	January 3, 1968

Respectfully submitted,

WARREN P. KNOWLES,

January 4, 1968.

Governor.

To the Honorable, the Assembly:

I am returning Assembly Bill 434 without my approval.

This bill requires that the time a person spends in jail

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prior to his sentencing by the court be deducted from the sentence imposed upon him.

A revision of the state's criminal procedure is presently being prepared by the Criminal Procedure Committee of the Judicial Council. Because this bill would result in situations clearly contrary to the public interest, I believe this proposal should be given further consideration and reviewed closely as a part of the overall criminal procedure revision.

A person is sentenced to a prison term to provide him with the benefits of rehabilitation programs and to protect society through confinement and parole supervision subsequent to his release. Under this bill the rehabilitation process could be severely handicapped. Persons sentenced to shorter terms could arrive at the institution already eligible for parole consideration or with only a few days remaining to be served on their sentence.

Some prisoners would also prefer to spend their sentence in the county jail where rehabilitation programs are not available rather than in state prison. This legislation would encourage such persons to delay the adjudication of their cases through continuations, postponements and appeals. This would impose an additional burden on crowded court calendars and place an even greater burden on our crowded county jails at the expense of local government.

This bill is also technically deficient in that it does not provide the mechanics by which a certification is to be made to the Division of Corrections of the number of days with which an offender is to have credited toward his sentence.

There is merit in considering the time an offender spends in jail when sentencing him to prison. As a practical matter, the judges now take this into consideration with other factors, such as the availability of bail or release on recognizance, the time needed to provide a reasonable opportunity for rehabilitation, and the nature of the offense.

However, before the mandatory provision of this bill is established as the policy of this state, it should be considered as part of the overall revision of criminal procedure presently taking place.

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

January 3, 1968.

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To the Honorable, the Assembly:

I am returning **Assembly Bill 939** without my approval.

This bill provides that girls 16 years of age and over may work until 11:00 p.m., at curb service and drive-in stands in cities with populations of 25,000 or less.

The Labor Standards Advisory Committee has recently studied the existing regulations on the hours of work and the restricted types of employment for minors. The Department of Industry, Labor and Human Relations has scheduled hearings in the near future on the recommendations of the Advisory Committee. Based upon these hearings, the Department plans to revise its present regulations relating to the employment of minors which are set forth in the Department's administrative rules, sections 70.10 and 70.11.

The recommendations of the Advisory Committee are more liberal than the provisions contained in this bill and would apply uniformly to all minors in the state. These recommendations also take into account whether the work is performed on a night preceding a school day.

There is not sufficient justification to discriminate between minors as provided in this bill, based upon whether the work is performed in cities with populations of more or less than 25,000. Further, if the recommendations of the Advisory Committee are adopted as anticipated, this bill will have a reverse effect than that intended by the Legislature for it will place more restrictive regulations for minors working in cities under 25,000 than are applicable in the remaining portions of the state.

For the foregoing reasons, it is preferable that the Department be permitted to establish more liberal regulations to apply uniformly throughout the state. Thereafter, the Legislature could impose any changes in the regulations which are appropriate.

Respectfully submitted,

WARREN P. KNOWLES,
Governor.

January 3, 1968.